IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2533 OF 2004

R.M. Murthy. .. .. Petitioner

v/s.

The Board of Trustees of the Port of Mumbai. .. .. Respondents

Mr.S.N. Deshpande for Petitioner.

Mr.U.J. Makhija i/by M/s.Motiwala & Co. for Respondent No.1.

CORAM : DALVEER BHANDARI, C.J. & DR.D.Y.CHANDRACHUD, J.

DATED : 29TH OCTOBER 2004

P.C. :

. We have heard the learned Counsel for the parties.

2. The Petitioner is a Secretary of Transport & Dock Workers Union, Mumbai (for short, "the Union"). He challenges the propriety of the order dated 23rd February 2004 passed by Respondent No.2-Ministry of Labour, New Delhi, and prays that the said order be quashed and set aside. The Petitioner further prays that the dispute and

demands raised by the Union vide its Demand Notice dated 27th February 2003 be referred for adjudication to the Industrial Tribunal or in the alternative, Respondent Nos.2 and 3 be directed to refer the said dispute and demands raised by the Union for adjudication to the Industrial Tribunal.

3. In the facts and circumstances of the case, we deem it appropriate to refer the dispute and demands raised by the Union vide its Demand Notice dated 27th February 2003 for adjudication to the Industrial Tribunal within three weeks from today. No further directions are necessary. The Petition is accordingly disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.